

Dallas D. Erickson, Testimony
House Judiciary Committee
HB 625
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HB 625

Madam Chair and Members of the Committee,

I am Dallas Erickson and I represent Montana Citizens for Decency through Law.

HB 625 is a common sense bill to protect the public from registered sexual offenders who may be triggered by pornography to reoffend, especially in a library or in other public areas of our state.

I have worked as a law enforcement officer and have seen, directly, the connection between obscenity and sexual crimes. Sexual offenders often have pornography with them in the crime so they can become aroused enough to commit the offense.

In written testimony before the Senate Judiciary Committee in 1995, Dr. Michael Scolatti of Missoula, Montana wrote about the effects of pornography that he has witnessed. Dr. Scolatti is probably the leading Clinical Psychologist in Montana in treating sexual offenders. In his testimony he mentioned the part pornography plays in many sexual offenses.

Dr. Scolatti, and most counselors that I have visited with and heard speak on this subject, in my over 30 years of work on these issues, are quick to point out that obscenity does not "cause" sexual offenses and crimes but there is a "causal relationship" that many refer to as a "trigger". To be fair there are many recognized "triggers". However, the most common element found in child molestations is child pornography. I have heard that frequently from investigators and counselors. Just last week I was told by Sheriff Hoffman of Ravalli County that they "always" see a connection between child pornography and molesters.

With the increasing numbers of sexual offenders are we not being remiss in giving law enforcement and librarians tools to address the dangers of sexual offenders being involved in a catalyst or "trigger" activity in public places?

There have been situations all over America where sexual offenders have been caught using library computers. It would be good if we could depend on our librarians to protect those in the library from people viewing material that strongly teaches that women want to be raped and abused. In the old days we could. Now we can not. The tendency now for libraries and librarians is to build screens and "privacy booths" commonly called "masturbation parlors" in "adult" bookstores so that the public can not see what the person is viewing or if they are masturbating.

Because of the American Library Association and the Montana Library Association's false belief that they have a "legal" responsibility to furnish pornography and obscenity to everyone including children, libraries are no longer safe places for men, women or children. Other testimony will be given about this situation and I would encourage you to go to www.montanahome.org and follow the link "sex offenders and libraries" to view news reports from all over America and in Montana of sexual offenders and others viewing obscenity and

pornography in libraries in view of the public, including children.

An example of sexual offenders being fed on and acting on pornography is a report in the February 9, 2004, edition of the Philadelphia Daily News. It offers a perfect example. At Center City Library, a library that "caters to area schools", according to the report by Kitty Caparella, 23-year-old Brian McCutcheon allegedly beat, raped and choked an 8-year-old girl in the restroom of the library. Unconscious, bloody and crammed behind a toilet with her pants down, she was found by another child. McCutcheon commonly viewed pornography on the library's computers

The following quote by Sharon Secor is written better than I can say it:

"Our elite, liberal thinkers insist that filtering pornography from the computers in the public libraries is a violation of rights. Apparently, the rights of those who cannot, for whatever reason, view pornography via the Internet in their own homes and the rights of those who have no homes in which to view Internet pornography are of greater importance than the rights of children to be safe in a public library. This, despite the fact that children are widely encouraged to make use of public libraries to enhance their literacy skills and many students are required to do research at libraries to complete school assignments.

"Remember the days of childhood, wandering the library on your own, breathing the scent of all those books in one place, all that potential? Oblivious to all but the excitement of the pursuit of that special book, the next adventure, the next discovery? Remember them well, because they are gone now. Today, we take our children and mustn't let them out of our sight. We nervously watch over them and train them to protect themselves from an assault between the stacks. Or in the restroom. The little girl that McCutcheon allegedly assaulted was at the library with her grandmother and two other children, a 3-year-old and a 4-year-old." (Especially for Parents, News and Commentary by Sharon Secor, February 2004, The Right of Childhood, A State of Mind, moralityinmedia.org)

The presence of Internet pornography creates a sexually hostile work environment for librarians, according to a federal agency. As a result of a suit filed in Minneapolis, Minnesota the Equal Employment Opportunity Commission (EEOC) acknowledged that Internet porn presents this kind of problem for librarians. What about the children?

It should not take a court to decide that a man **ESPECIALLY A REGISTERED SEXUAL OFFENDER**, looking at obscenity on the internet in a public place as women and children are walking around presents a danger to anyone in the vicinity. What are the man/woman's thoughts as he views women being tortured and abused and then the woman in the video or material saying they enjoy such activity? What are his/her thoughts about the women or men or children they see in the library or business?

I know that there may be those on this committee and those who will oppose this bill that feel pornography has no effect and that it has no relation to crimes. There may be media people here to object to this law. It is interesting that the media people are the first to deny a connection but the next minute will sell an ad to a business that knows if you put an ad in the paper or on the TV to sell a product, it will cause some people to take the action the ad

suggests. The fact is, what we see a lot of we want a lot of. That is human nature. They know. They know advertisers will pay millions of dollars to advertise during the Super Bowl because many will want what they see.

Obscenity is a powerful trigger that has a "causal" relationship to sexual crimes. It is time that we address the dangers in our libraries and communities with this bill. The only improvement I could see you making in this bill is an increased penalty with additional offenses like is found in the Indecent Exposure law.

Please support this bill.

Thank you.

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